

FAIR ELECTIONS LEGAL NETWORK

Wisconsin Special Elections and Recalls: Essential Information

On May 25, 2011, Wisconsin Governor Scott Walker signed a new law that impacts voter registration and voting. Below is a summary of the major changes, which will affect voters and mobilization efforts immediately.

Registering to Vote

- Applicants must be a resident for **28 consecutive days** prior to the election [*previously it was only 10 days*].
- Applicants must provide proof of residency that includes a current and complete residential address (e.g., a current state issued Photo ID, a utility bill issued within 90 days prior to Election Day, a bank statement, or paycheck).
 - College student voters who need to prove their residency can use their student ID, but **they must also provide a fee payment receipt** from their school dated no more than 9 months prior to the election **or** must appear on a certified list of students in school sponsored housing provided by their university or college to the clerk. [*e.g., students have to obtain a receipt for their tuition payment, but this remains undefined.*]
- If applicant has a Wisconsin's Drivers License, the applicant must include the number on the voter registration form.
 - If a voter is registering on Election Day and forgets his or her driver's license, the voter may vote on a provisional ballot but must provide his or her license number to the clerk no later than 4pm the day after the election or the provisional ballot will not be counted.

Voting at the Polls

- All voters will be asked for Photo ID at the polls starting immediately, but they **do not** have to provide Photo ID until the Spring Primary 2012. [*Voters need to be reminded that the ID law does not require ID until the primary election in 2012.*]
 - Personal corroboration of voter's identification is **no longer** allowed.
- Voters will be required to sign a poll book unless prevented by physical disability.
- Voters who have moved within Wisconsin since last election but less than 27 days before Election Day, **must vote at their previous address**.

Voting Absentee In-Person (Early Voting)

- Available between the 3rd Monday before Election Day until the Friday before Election Day.
 - For a July 12th election, early voting will be available June 27 - July 8.
 - For an August 9th election, early voting will be available July 25 - August 5.
- In-person absentee voters may be asked for Photo ID this summer, so it is important to note that in-person absentee voters **do not** have to provide Photo ID until Spring Primary 2012. Until then, they are still entitled to apply and vote a regular ballot.

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Voting Absentee by Mail

- Applicants must already be registered to apply for an absentee ballot.
- Voters' applications for absentee ballots by mail must be received no later than the 5th day before Election Day.
 - For a July 12th election, application must be received by July 7th
 - For an August 9th election, application must be received by August 4th
- If a voter indicates that he/she would like to receive the absentee ballot by fax or email and if the clerk determines that it will be reliably received, the clerk must send it by fax or email.
- Completed ballots must be returned by mail or in person and **received no later than 8pm on Election Day**. Instructions for returning the absentee ballot will be included and must be followed.
 - If an absentee voter does not return the ballot, the voter *will not* automatically receive an absentee ballot for any subsequent election. If a voter wants to remain on the absentee list and receive future ballots, the voter *must* return the requested absentee ballot, or notify the clerk that the voter wants to continue receiving them.
[Any voter on the current absentee ballot list or any new mail absentee voters who do not return ballots in July, will not automatically receive mail absentee ballots for August elections.]

This guide is for general information purposes and should not be construed as legal advice. For more information, contact Fair Elections Legal Network.